

Wildland Fuels Committee
January 14, 2007
9 a.m. to 4:43 p.m.

Location: Sierra Nevada Community College
99 Tahoe Boulevard
Incline Village, Nevada

MEETING MINUTES

CALL TO ORDER

Chairman Pena called the meeting to order at 9 a.m.

ROLL CALL AND INTRODUCTION OF MEMBERS

Members present:

Norb Szczurek, John Upton, Pete Anderson, Kathy Murphy, Jim Pena, Mike Brown, Allen Biaggi, Dennis Crabb, Patrick Wright, Amy Horne, Jim Santini

Review and approval of minutes – Mr. Pena went over some corrections. The approval of minutes will be tabled until after lunch so members can read through the minutes at a break.

Review agenda including adjournment time – Mr. Pena –this meeting was added to the schedule making a compressed timeline for the working groups. Not all are prepared, so we are expecting an update and more dialogue with the groups. I would like to get into committee discussions on things beyond the working groups, draft some findings. Today's meeting should be done about 4:30 p.m.

Presentation on the upcoming workshop – Vegetation Management in Sensitive Areas of the Lake Tahoe Basin – Zack Hymanson

The workshop is scheduled for February 20-22, here at the college.

- The genesis is dealing with the issue of fuels management and steep slopes in SEZs. The idea is to get the science community, agency and stakeholder community in one room to discuss. We will ask what we have done in the past. Bring in outside experts to help inform us and understand where the challenges are and where we can make progress.
 - Nuts and Bolts - 1st day case study reviews.
 - 2nd day summarizing that information, delving into some of the issues, outside presentation on new technology for fuels management,
 - 3rd day, get agencies together and get a consolidated recommendation on the challenges. Talk about where we can go from here.
- There will be a set of reading materials for the panel in advance.
- Mr. Pena – how do you see the timing of the third day and getting recommendations to the Commission?
- Mr. Hymanson – more important recommendations from the panel will go into a formal report from them, the timeline is tight.
- Ms. Murphy – is the steering committee to come up with Findings and Recommendations?

- Mr. Hymanson – agencies would make the recommendations out of the third days' activities.
- Mr. Upton – we have full commission on the February 19.
- Mr. Pena – we have left February 20th open so commission/committee members can attend. We have two more meetings prior to that. Whatever comes out of the workshop, the agencies involved will act appropriately as they see fit.
- Mr. Hymanson – the workshop will give the agencies information they need to make changes. No cost, but we need to know the number of attendees. You can register on line.
- Mr. Pena – how many committee members are planning to attend? Three answered yes.
- Ms. Horne – could someone summarize the first two days the morning of the third for those who attend only the third day?
- Mr. Wright – the Commission itself might be interested in hearing from the panelists directly. Could one of the four attend the Commission meeting?
- **Action item:** Mr. Hymanson – I will work on getting a chair for the panel, maybe that person could attend.

Dialogue

- Mr. Pena gave the committee a handout: Proposed Findings for Consideration by the C/N TBFC Tracking Lot – 7 Findings and Recommendations (F&Rs). The chart will manage the flow of F&Rs. This committee has been assigned four of the F&Rs to date. Anything that comes out of the working groups or from committee members will go on the chart.
- Anyone can submit an F&R and the Commission staff makes a determination which committee receives the F&R. This spreadsheet will help them track
- Ms. Horne – I am working on an F&R for risk assessment. Need to let each other know what we are working on. Question of reducing human ignitions, is the other F&R I am working on.
- Mr. Upton – Dennis Crabb has a biomass F&R, I have one coming on monitoring.

A. Air quality Working Group

- Ms. Hobbs – we are taking several recommendations and putting them together. Dealing with costs and how to administer in California and Nevada. During two conference calls we discussed how to go forward and new tools that would be viable in the basin.
- Mr. Pena – there were six or seven items that needed to be refined into the R&F format. Do you think you will have a draft R&F in January?
- Ms. Hobbs – yes, for sure for the February meeting.
- Mr. Pena - we are looking for substantial things to move the fuels forward, get things done quicker. Based on those items presented from the alliance, they would contribute to that. Draw out how the recommendations would help if endorsed.

- Mr. Upton – what can we do to change the on-the-ground situation? Is there something we can do to accelerate the process? Do we need more local control? Please focus on that.
 - Mr. Pena – between now and next meeting, please get your recommendations to the committee so we can have an effective dialogue.
 - Public comment period on this topic: No one came forward
- B. Permit Improvement Group – Lauri Kemper
- F& R V-010 handout was presented to the committee.
 - Ms. Horne – the page numbers are not in correct order.
 - Mr. Pena – there were three findings we wanted to come forward with.
 - Ms. Huggins – we added more from PRC to support.
 - Mr. Pena – three findings got collapsed into one – seven recommendations total?
 - Ms. Kemper - yes
 - Mr. Pena – **Action item:** I recommend we hand this off to the other committee to finalize. But before we hand it off, do we want to review it more in-depth?
Action item: Mr. Anderson please take a look and bring it back a little more complete.
 - Mr. Upton – are we getting proposals in that are refining the process so costs are being lowered?
 - Ms. Kemper – we have discussed those ideas including broadening the MOU between Lahontan and TRPA, having a single application, and are collaborating on that. We are beginning to understand the problems and expectations and looking at redundancies.
 - Mr. Pena – I want to see the draft recommendations at the next meeting. **Action item:** Mr. Anderson, Mr. Brown - please help them.
 - Ms. Kemper – timing with workshop, we hopefully will have a clear set of recommendations ahead of the workshop to vet there.
 - Mr. Pena – we are making recommendations to the governors to act on things. Something that says go do this instead of go study this. Need to be articulated as action-oriented. Speed up at less cost.
 - Mr. Singer – I haven't seen reports that this is the case. You are dealing with just a perception.
 - Ms. Kemper – we have seen areas that are similar in cost. I hear what you are saying and we are looking into it. We are comparing a lot of information to come up with consistent guidelines.
 - Ms. Marceron – on the first recommendation for private property - it does have reference to the FS but there are a few things missing. We are different than the state and private structure, we need to be taken out of that paragraph.
 - Ms. Kemper – on page 3 we didn't get it right. We may need to take non-federal out of the bold. The group discussed other needed changes.
 - Ms. Pena – make sure it is a comprehensive recommendation – including the whole circle of the Basin. If there are adjustments, make before sending electronically.
 - Ms. Murphy – there are recommendations in here that are already happening.

- Ms. Kemper – how do you take communicate things that are happening? Do you want them in the recommendations? Some of these things are going into effect already.
- Mr. Anderson – needs to be fully identified, especially after the Angora Fire
- Mr. Pena – adds more weight as accountability.
- Ms. Murphy – still show the recommendation and the date it was implemented.

C. Stream Environment Zones

- Lauri Kemper, Harold Singer, Mike Vollmer, Terri Marceron, Christy Daugherty, and Rick Adams sat before the committee to answer questions.
- Mr. Pena – I invited this group to get more information and answer questions for the committee. From your agency's perspective, how you are defining this Riparian area – fuels or regulatory standpoint?
- Mr. Vollmer – TRPA was not invited, I am fairly versed, I will do the best I can.
- Ms. Murphy – TRPA was invited to the meeting. John Singlaub is getting an invitation and he sends who he wants. The agenda is posted already for the next meeting. These are public meetings, everyone is invited.
- Mr. Pena – SEZ working group, better understands the issues, the issues may be around permitting instead of SEZ. We are trying to learn about that at this meeting.
- Mr. Singer – on the basic concepts of SEZs: we Lahontan and TRPA are 99% in sync on the issues. Why are we so interested in SEZs? Where are we today? SEZs play an important role in lake clarity, they are the filter. If there is a disturbance in a SEZ, there is no filter. We always have taken a conservative approach. We want to minimize disturbance in SEZs and that has provided almost a flat prohibition. There is some exemption language including recreation (where a trail crosses a creek), restoration projects, access to buildable lots, and public health and safety. These exemptions have been on the books for years. Fuels are new to the Basin. Prohibitions were towards commercial activity. There are ways to do work in SEZs to accomplish fuels work, mechanisms are there, we haven't used them. The forestry point of view allowed over-the-snow in SEZs, hand crews were sometimes too dangerous. We think we can get it done with current rules and by streamlining the process. Work in SEZs does involve looking at the Riparian issues. For ten years there has been a provision that allows for demonstration projects. We want to take the results from demo projects – and apply them across the board. Set forth some criteria – and make a standard practice now that we can recommend to the Regional Board.
- Mr. Singer - key issues – no two sites in Tahoe that are exactly the same. Similar technology gets the go ahead. SEZ delineation – similar to USACE manual. This is a good tool. In Tahoe there is room for improvement, need to separate out a true process. Need to look at process to figure out what needs to be fixed, criteria side and planning side. In the relationship between us and TRPA - they are responsible for doing delineations, part of the MOU.
- Ms. Kemper – we will get the two agency's criteria in writing. To define a SEZ, you only have to meet one of the primary indicators, the problem comes up when you have to meet 3 of 4 secondary criteria. We are updating the criteria with the

new soil survey and discussing maps of flood plains. This topic is on the TRPA schedule for their regional plan update.

- Ms. Kemper went over the handout: Chronologies for Projects Involving Equipment Use in Sensitive Habitats.
- Mr. Anderson- it is critical that the process gets documented and communicated to the public. As state foresters we could gather the information from other areas to help here in the Basin.
- Ms. Horne – valuable to have a scientist describe what information is needed, similar project, similar setting.
- Ms. Marceron – PSW is already taking a look. They should come out with that information in a month or two. (End of February)
- Mr. Upton – the task for the implementing agency is to do the BMPs, scientific agencies do the monitoring.
- Ms. Daugherty – we looking at two years of planning and implementations for 23 acres as over \$6000. We still don't know how useful the information will be. We can't be doing two-year demo projects with the resources we have.
- Ms. Horne – the timing was 8 months (referring to handout). Was the reason it took so long because it was too wet?
- Ms. Marceron - no. The final decision document was much later. It took over 18 months to do the process (NEPA, CEQA documents).
- Ms. Horne – we need one story for the workshop. What happen between June 2006 and March of 2007? 10 months for agreement?
- Ms. Marceron - TRPA changed staff three times, each had to be updated.
- Ms. Horne – we need discussion on actual records. Develop a consistent timeline.
- Ms. Marceron – this is the first time I've seen the document.
- Mr. Crabb – two years is absurd, how do we turn that into 3-6 months?
- Mr. Pena – when any agency tries to initiate the preplanning coordination, there is the ability on the regulatory agency to not have the staff to keep the project moving forward. We need to make sure all the processes are concurrent, as opposed to sequential, collapses the timeline. The determination as to whether it meets the waiver takes time.
- Ms. Horne – it is really important we have two categories of projects - standard and demonstration. Our goal over time is to increase standard projects. Move demo projects into standardized projects. Science must be done well, certainties answered, not drawn out. Caution us not to pick some number out of a hat for demo projects to occur.
- Mr. Pena –we need to make the waiver process as short as possible.
- Ms. Kemper – we will need to do a CEQA document which will update the waiver.
- Ms. Daugherty – what happens now with standard projects? They all have some SEZs. We are not doing the work in the SEZ. We don't have the resources to set up a demo project. We do what we can for now. Sometimes it is not very effective.
- Mr. Singer – the issue right now is mechanized equipment in SEZs vs. handcrews.

- Mr. Pena – 6-7 demo projects identified in the timeline since 2002 or 2003, how many do we need to propose for the type of projects we are planning? Can we determine how many proposed projects don't fit in?
- Ms. Marceron – I am going to give you the five themes with SEZs at the LTBMU:
 - Past management – fuels is more recent theme area. We always managed veg within SEZs. Always had the delineation. Fuel loading in SEZs is much higher. In the past we were limited to over-snow and handthinning. Over-snow has not been successful. We have done some hand-thinning. Lahontan changed their waiver in 2004 to recognize mechanical. The reality was we knew we needed another timber waiver. We always try to work under the timber waiver, it takes a lot more effort not too. Involvement of past work, permitting is a question of science, what is the appropriate innovative technology? Heavenly is the first SEZ – peer review project, it included intense monitoring and 1.5 years of planning. SNPLMA was the funding source. Up until recently with TRPA, it has been a one-size-fits-all. That includes confusion and challenges. We have been working with Lahontan and TRPA to identify indicators to determine the sensitivity. We recognize there can be different prescriptions in a SEZ.
 - Challenges – cost – investment to treat that area of ground. What is right for the ground? The right treatment and appropriate amount of monitoring? Design and coordination with regulatory agencies is another challenge. Before we go out with NEPA we get agreement with the regulatory agencies. We put out a proposed action; they have the ability to comment in the 30-day comment period. We get everyone on board up-front. Example of Heavenly SEZ is a perfect example. Upfront participation. Implementing agencies learned every site is different. We try to avoid going back to the beginning for every single project.
 - Monitoring is a challenge. Timber Waiver added on more monitoring emphasis and more cost. Mechanized equipment and what's the impact of using in those kinds of areas? Monitoring - we understand clarity is the issue at the lake, for Heavenly SEZ soil impact was more important. Treatment challenge, innovative technology needs certain conditions on the ground to be able to use the best technology. We have to decide what we want on the ground and if that technology can fit it.
 - Current projects – we are working with agencies up front to define projects. Still a lot of dialogue that goes upfront but it is very positive. Now is a much better process but it is not streamlined.
 - Opportunities:
 - Change the permitting process 1A of timber waiver, put in some SEZ areas.
 - Demo projects (handout) – appreciate Lahontan and TRPA feedback.
 - Upfront design needs to be an emphasis.
 - Utilizing existing research.
 - Monitoring – look hard at reducing the scope under the timber waiver as appropriate under site specificity.

- Mr. Anderson – would strips be a short-term measure?
- Ms. Marceron – we have done that. We will go back. On the Nevada side we can go back, some of the regulatory charges are not as difficult.
- Ms. Murphy – on the upfront coordination you are now doing with South Shore - Harold, Lauri is it working on your side?
- Ms. Kemper – yes, doing it one time, will save a lot of work. Our goal will be one document.
- Mr. Upton – I am asking for help from you with respect to drafting F&R.
- Ms. Marceron – once the environmental analysis is completed, TRPA and Lahontan are finished. Everything is up front and transparent at that point.
- Mr. Upton – for projects upcoming we need to come up with an environmental documentation strategy.
- Mr. Pena – all the parties need to work to make it so. There is opportunity down the road, how do we make that happen without a Herculean effort? On every project that goes forward. Use previous projects for new projects to make operational for 6800 acres.
- Ms. Kemper – we are meeting on Thursday to go over.
- Ms. Marceron – we probably need to revise the MOUs.
- Mr. Pena – **Action item:** I ask that revising the MOU be a recommendation.
- Ms. Daugherty – we operate more simply. In the past we were not allowed to remove green trees in SEZs. Sanitation salvage only, gave us backload in those areas. We have been using hand thinning for quite some time and would like to see it go under 1A. Using hand crews is using mitigation. As for pile burning at SEZs; we have not been able to get permission. Hand crews carry it out. A lot of limitations, need to burn piles in SEZs. Not allowed to put chips back into a SEZ only to take the material out. It is an expensive process. TRPA and Lahontan allow mechanical only up to 30% slopes, need to increase ability to use mechanical on higher slopes.
- Mr. Pena – the lake is the Holy Grail up here. The Commission needs to deal with what the tradeoff is here, what are we going to be able to do to protect the lake. A large fire will impact the soils and vegetation cover. We have to be able to use better judgment. I'm hearing that we are being more flexible. Tendency for polarization.
- Mr. Adams – we skip a lot of areas, too expensive from my perspective. Laying out a gigantic project is too overwhelming to me. I cannot write an environment impact report. Just want to get in and do the work without filing a bunch of permits.
- Ms. Horne – when we get to a discussion about other F&Rs, risk assessment gets at some of these issues. We are down to opinions, making decisions from an information vacuum. We need a better way to make decisions when we don't have all the information.
- Mr. Pena – what I'm hearing is you are not quite ready to cut loose on SEZ yet. Any public comments?
- Mr. Bob Harris, citizen, retired FS – a couple years ago I got on the ground with consultants. We looked at the permitting process and costs - a lot of

projects were walked away from as too expensive. Working in the SEZs there should be things you know are acceptable in the conditions you are in, get a lot more done. Get rid of prescriptive and over-the-snow. SEZ delineation – start moving into all these different factors. We need something more consistent. Resources and dollars to delineate the SEZs with the 10-year plan. Right now it's last minute crisis stuff. Get that issue cleared up first. The Association of Forest Service Retirees are doing research at equipment development centers – testing and measuring types of equipment and what happens to the soil. Good avenue of information for South Shore. Case in point – Heavenly SEZ – you get in and test – how applicable to use that information? Over 30% slopes, important to remember past initial work, need to get masticator in there on maintenance side.

- Mr. Singer – may think about delineating SEZs, big cost savings, degree of consistency. Could be a finding.
- Mr. Pena – **Action item:** the group will bring back the recommendation at the next meeting.

Mr. Pena – we will look at these F&Rs and see if we want more refinement, if not, we will send them to the staff to go through the system:

- Mr. Anderson went through the F&Rs he turned in.
 - 1) Dispatch centers do not reliably communicate with the availability resources or status them for initial attack responses cross boundaries. Mr. Bill Holmes – Cal-Fire – big issues for east side. Goes both ways, Minden has not communicated. So many dispatch centers, easy to make mistakes, confusing. We need a consolidated dispatch center in the Basin to clean up - this is a finding many are asking for. They don't all have the same capability. Pressure from the Commission will push us toward resolve. We need to consolidate state, local, and federal. Ms. Horne – do we need a working group to flush this out? Ms. Murphy – is this F&R for *this* committee? Mr. Pena – there is a coordination meeting Friday, I will validate whether we hang on or hand over to the other committee.

2) Access.

Ms. Horne – all research says the basin's problem is access. Urbanization and roads are the reason for lake clarity going down. What is the suite of equipment and technologies that would allow us to get access? Before we have a finding that temporary roads are necessary, what is the other options (equipment?).

Mr. Pena – anything that is tied to the ground needs a road, frequency of roads vary. How can we be more effective in reaching areas that need to be treated with less impact?

Ms. Horne – everything goes to competing risks. We have a lot more to understand about this issue. How do we weigh the risk and uncertainty?

Mr. Szczurek – all a tradeoff, don't have roads to access fuel loading, treatments you provide go up in smoke. Can't get the product off the hill.

May not be polluting the lake from temp road, pollutants when you consume the products you produce. Another tool in the toolbox.

Mr. Pena – a lot of the F&Rs that we are doing, the questions will not be answered until the board evaluates.

Mr. Pena – I think we should continue to move it forward as drafted.

Ms. Horne – could we put in language that clarifies the competing risk?

Mr. Pena – I’ve got to believe that will be looked at on all the F&Rs.

Mr. Murphy – NEPA and CEQA goes through that.

Ms. Horne – why can’t it put on all the F&Rs?

Mr. Crabb – I make a motion to take this F&R forward.

Dialogue:

- Mr. Biaggi – F&R V002 was assigned to the Emergency Declaration Committee. F&R V003 – assigned to Emergency Declaration Committee.
- Mr. Crabb – Biomass findings – adds certainty to the system. Under current regulations biomass is not available or a tool in our toolbox.
- Ms. Murphy – we have experts in biomass that will be at our next meeting. What I would like to see is you to form a working group.
- Mr. Pena – **Action item:** I would like to see it in the correct format and reach out to the biomass experts.
- Ms. Hains – Doug Martin of the Conservation Corps is chairman of Nevada Biomass Working Group.
- Mr. Crabb - on the recommendation add a section to the 10-year plan about maintenance costs over the life of the project.
- Mr. Pena – nucleus of two recommendations - monitoring and long-term funding (for maintenance).
- Mr. Upton – I will put them into the format and move them on.
- Ms. Horne – Zack Hymanson may be able to help on this (TSC). Propose the Basin for the first NEON site. Standardize data calls.
- Ms. Marceron – you should coordinate with Sue Norman at the FS and the TIIMS database.
- Mr. Crabb – two findings from the last meeting – handouts.
- Ms. Murphy – finding one goes to Emergency Declaration Committee.
- Mr. Pena – hand funding incentive to the other committee, hang on to the other one to flesh out more.
- Mr. Crabb – I would like to recruit Mr. Szczurek.
- Mr. Pena – Amy your ideas of risk analysis and human emissions is under “other”.
- Mr. Upton – EIS strategy coming under one of the working groups? Good idea to try to have a strategy for getting to an environmental document we can move ahead on.
- Mr. Singer – we are working on that.
- Ms. Kemper – John Pickett is working on that process.
- Mr. Singer – on the roads item, two comments. We do not believe there is a prohibition on new roads in the Basin. We want to come back to you on that. To beef up the recommendation and deal with the additional BMPs – bigger

issue – fact that this is a 10-year cycle, restart in 10 years, are we going to need those roads to maintain. Need to look and see if they are really temporary. Not a long-term need.

- Mr. Pena – have a dialogue with land management agencies to see how they view it. From a political standpoint, they are getting pounded every time they suggest building a road. At this point in time easier to get a temp road approved.

Public comment period:

- Bob Harris – on dispatch – the joint Minden center was in operation for 10 years, why didn't it work? Should look into that.
- Mr. Pena – there was a study that supported the move, need to bring that back out. Do we have to fix the facilities or the operating procedures?
- Close public comment period.
- Mr. Pena – we will vote now what F&Rs we are taking forward to the committee tomorrow and be clear on the next steps. We will take forward the F&R on access for fuels treatment. All the rest will be refined and brought back to the next meeting and we will finalize them as draft to the Commission.
- Ms. Horne – I am not clear on the roads question.
- Mr. Pena – we need a motion.
- Ms. Horne – questions still need to be answered on temp vs. permanent roads.
- Mr. Santini – so moved, and 2nd
- All but one approved, one opposed, motion carried.
- Mr. Pena – at the next meeting we will have many R&Fs to look at and move forward.

Upcoming meeting schedule –

- January 24 and 25 at LTCC.
- February 7 and 8 TBD (tentatively here again)
- February 19 one-day Commission meeting at LTCC.
- Feb 20-22 is the workshop. (No committee meetings).
- March 6 and 7 TBD
- March 21 and 22 at LTCC.
- May 5-9 event where rollout the final report.
- The next agenda has been noticed, it is a continuation of today's agenda.
- Ms. Murphy – only have one committee meeting to deal with any other findings that come in.
- Mr. Pena – we will see our status at the next meeting, we can add another day in February.

Adjourned 4:43 pm.

